

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

MALIBU MEDIA, LLC,

Plaintiff,

v.

JOHN DOE subscriber assigned IP address
100.36.25.98,

Defendant.

CASE NO.: 1:15-cv-00561-LMB-TCB

**PLAINTIFF’S FIRST MOTION FOR EXTENSION OF TIME WITHIN
WHICH IT HAS TO EFFECTUATE SERVICE ON JOHN DOE DEFENDANT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC (“Plaintiff”), moves for entry of an order extending the time within which to effectuate service on John Doe Defendant, and states:

1. On May 1, 2015, Plaintiff filed its Motion for Leave to Serve a Third Party Subpoena [CM/ECF 3].

2. On May 4, 2015, Plaintiff was granted leave to serve a third party subpoena on Defendant’s ISP, Verizon Internet Services, to obtain the Defendant’s identifying information [CM/ECF 7]. Plaintiff issued the subpoena on or about May 4, 2015 and received a response from Defendant’s ISP on July 13, 2015.

3. After the investigation has concluded, Plaintiff will determine whether or not to proceed with its claims against John Doe Defendant.

4. Pursuant to Fed. R. Civ. P. Rule 4(m), Plaintiff is required to effectuate service on Defendant no later than August 27, 2015.

5. Procedurally, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on John Doe Defendant be extended an additional forty-five (45) days, or until October 11, 2015.

WHEREFORE, Plaintiff respectfully requests that the time within which it has to effectuate service of the summons and Complaint on John Doe Defendant be extended an additional forty-five (45) days, or until October 11, 2015. A proposed order is attached for the Court's convenience.

Dated: August 27, 2015

Respectfully submitted,

By: /s/ William E. Tabot, Esq
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on August 27, 2015, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/ William E. Tabot